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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,945	10/02/2001	Andreas Fuchs	WLL-12659	8707
40854	7590	07/06/2006	EXAMINER	
RANKIN, HILL, PORTER & CLARK LLP			MATHEW, FENN C	
4080 ERIE STREET			ART UNIT	
WILLOUGHBY, OH 44094-7836			PAPER NUMBER	
			3764	

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 9 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has recited in claim 1 that the drive system is used in a vehicle. Claims 9 and 23 further state that the drive system is used in a stationary training apparatus. Examiner is unclear as to how a vehicle can be a stationary training apparatus. Appropriate clarification or correction is required.

Allowable Subject Matter

4. Claims 1-8 and 10-22 are allowable. The prior art of record fails to teach the electric drive system, generator, electrical transmission, drive motor, control system, as substantially claimed.

Conclusion

5. This application is in condition for allowance except for the following formal matters:

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The rejections of claims 9 and 12 as noted above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fenn C. Mathew whose telephone number is (571) 272-4978. The examiner can normally be reached on Monday - Friday 9:00am - 5:30pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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JEROME DONNELLY
PRIMARY EXAMINER

